THE DIGITAL GREEN CERTIFICATE REGULATION – A FIRST OVERVIEW

25 maart 2021

GHENT UNIVERSITY

METAMEDICA

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a framework for the issuance, verification and acceptance of interoperable certificates on vaccination, testing and recovery to facilitate free movement during the COVID-19 pandemic (Digital Green Certificate)
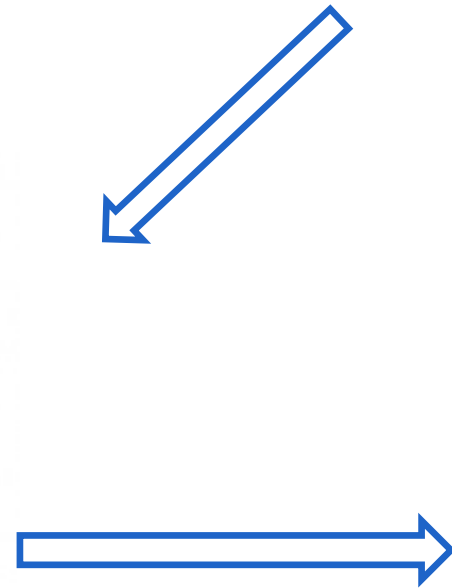
RESTRICTIONS

Art 21 TFEU

" free movement within the territory of the Member States"
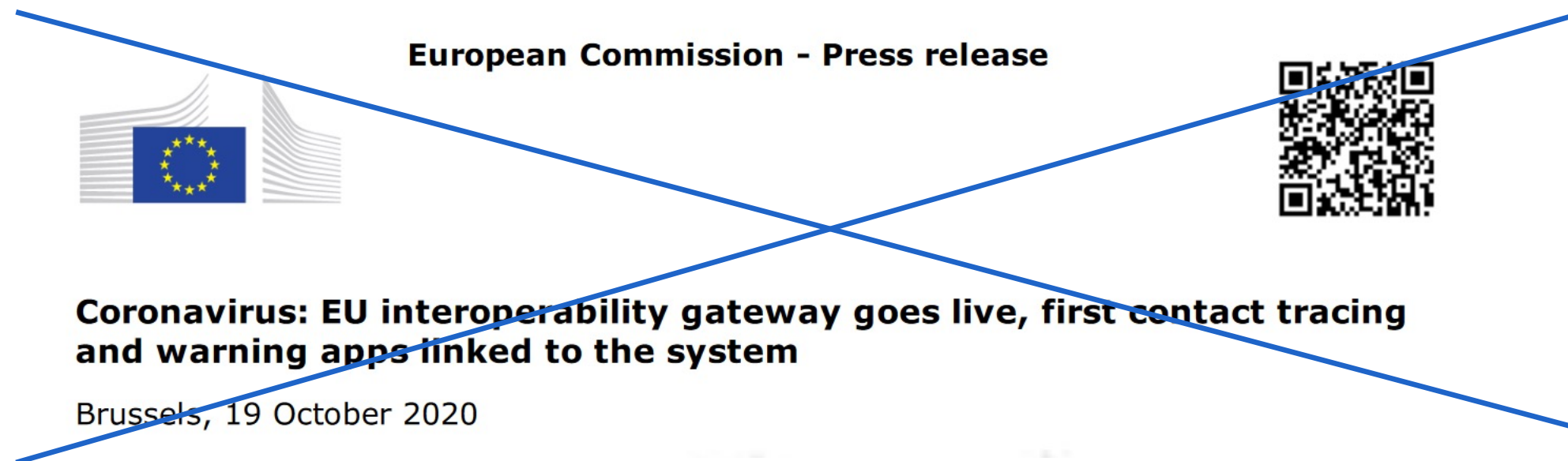

Art 168 TFEU

COUNCIL RECOMMENDATION (EU) 2020/1475

of 13 October 2020

on a coordinated approach to the restriction of free movement in response to the COVID-19 pandemic

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LEGAL BASIS

Art 21, § 2 TFEU

Facilitating the free movement

— EU-wide framework for the issuance, verification and acceptance of COVID-19 certificates

European Commission - Press release

Coronavirus: EU interoperability gateway goes live, first contact tracing and warning apps linked to the system

Brussels, 19 October 2020

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Is there a right to a certificate?

If I'm not yet vaccinated, do I have a right to a free coronatest hopefully resulting in a negative test result certificate?

For which purposes can I use these certificates and can I use them for other purposes than the purposes mentioned in the regulation?

Is the digital green certificate a vaccination passport, or is this term to misleading when discussing this regulation?

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WHAT IS IT NOT

1. Vaccination certificate as a precondition for the exercise of the free movement
2. Facilitating or encouraging the adoption of restrictions to the free momevent

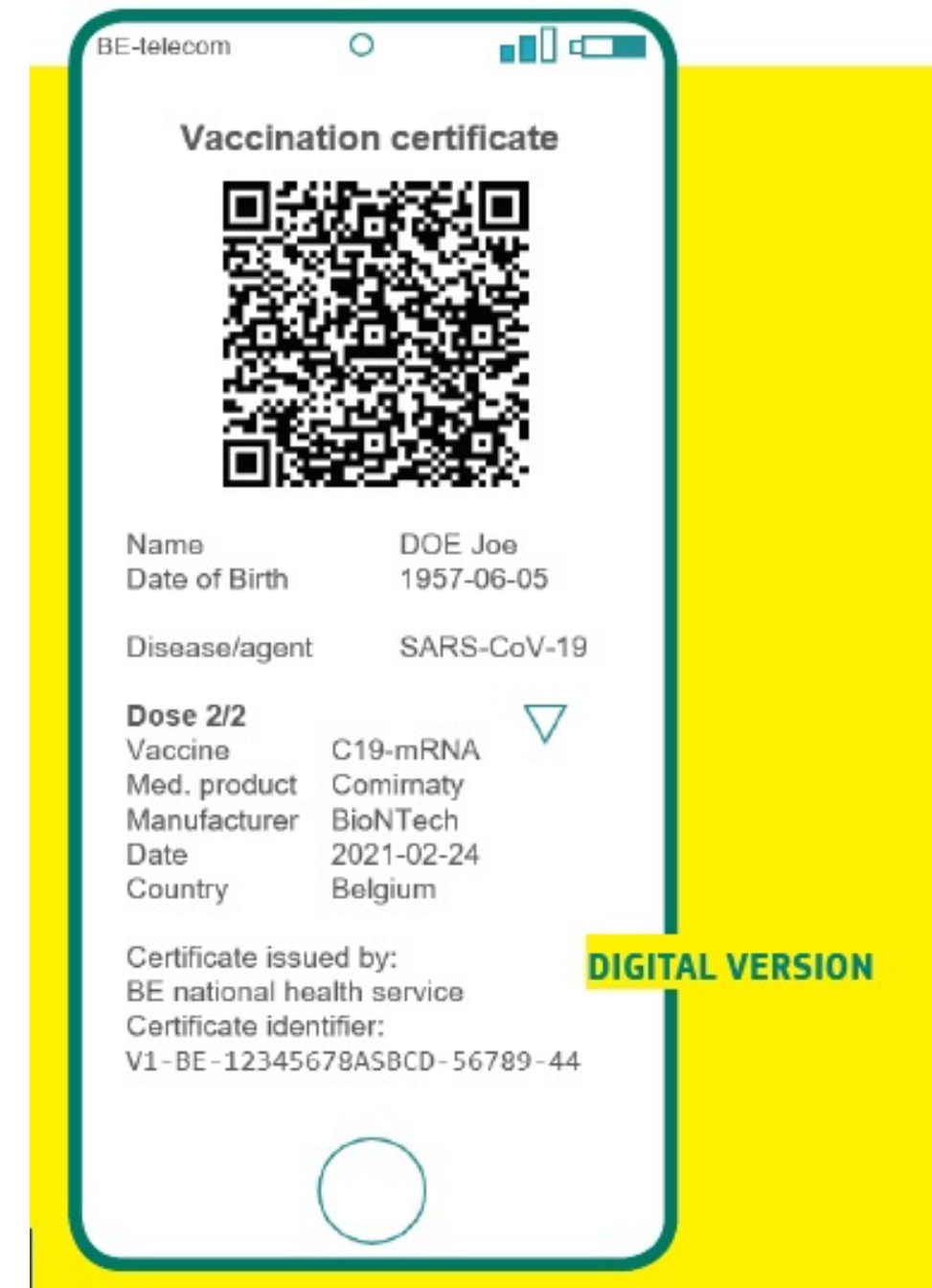METAMEDICA

WHAT IS IT?

CREATION OF A TRUST FRAMEWORK

REFLECTION OF RESTRICTIONS BY MEMBER STATES

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EU WIDE TRUST FRAMEWORK

— *= the rules, policies, specifications, protocols, data formats and digital infrastructure regulating and allowing for the reliable and secure issuance and verification of certificates to guarantee the certificates' trustworthiness and this by confirming their authenticity, validity and integrity*

— No for tomorrow

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1. VACCINATION CERTIFICATES/ EU WIDE TRUST FRAMEWORK

— Vaccines approved by EMA

— Implementation?
  — Only a format framework

  — No rules

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2. TEST CERTIFICATES/ EU WIDE TRUST FRAMEWORK

– Condition: only NAAT tests and rapid antigen tests in list of Council Recommendation 2021/C 24/01

– *Where Member States* **require proof of a test for a covid infection** *as part of the restrictions to free movement put in place, they shall also accept valid test certificates issued by other Member States in compliance with this Regulation.*

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3. RECOVERY CERTIFICATE/ EU WIDE TRUST FRAMEWORK

— 11 days after positive test result

— Valid: 180 days

— *Where Member States **accept proof of recovery** from covid infection as a basis for waiving restrictions to free movement put in place, they shall accept, under the same conditions, valid certificates of recovery issued by other Member States in compliance with this Regulation*

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REFLECTION OF RESTRICTIONS BY MEMBER STATES

– Art 10: notification of restrictions before planned introduction

 – Reasons for restrictions

 – Scope of restrictions

 – Date and durations of restrictions

(7)   The free movement of persons who do not pose a risk to public health, for example because they are immune to and cannot transmit SARS-CoV-2, should not be restricted, as such restrictions would not be necessary to achieve the objective pursued.

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